

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: <b>Angwin et al.</b>	§	
	§	Group Art Unit: <b>2144</b>
Serial No. <b>09/816,005</b>	§	
	§	Examiner: <b>Maniwang, Joseph R.</b>
Filed: <b>March 23, 2001</b>	§	
	§	
For: <b>Method, Apparatus, and Program</b>	§	
<b>for Providing Scripted Electronic</b>	§	
<b>Business Cards and Electronic</b>		
<b>Calendars</b>		

Commissioner for Patents  
P.O. Box 1450  
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**36736**  
PATENT TRADEMARK OFFICE  
CUSTOMER NUMBER

**APPEAL BRIEF (37 C.F.R. 41.37)**

This brief is in furtherance of the Notice of Appeal, filed in this case on August 16, 2006.

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0461.

### **REAL PARTY IN INTEREST**

The real party in interest in this appeal is the following party: International Business Machines Corporation of Armonk, New York.

### **RELATED APPEALS AND INTERFERENCES**

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

## **STATUS OF CLAIMS**

### **A. TOTAL NUMBER OF CLAIMS IN APPLICATION**

Claims in the application are: 1, 2, 4-11, 13-19, and 21-24.

### **B. STATUS OF ALL THE CLAIMS IN APPLICATION**

1. Claims canceled: 3, 12, and 20.
2. Claims withdrawn from consideration but not canceled: NONE.
3. Claims pending: 1, 2, 4-11, 13-19, and 21-24.
4. Claims allowed: NONE.
5. Claims rejected: 1, 2, 4-11, 13-19, and 21-24.
6. Claims objected to: NONE.

### **C. CLAIMS ON APPEAL**

The claims on appeal are: 1, 2, 4-11, 13-19, and 21-24.

### **STATUS OF AMENDMENTS**

There are no amendments after final rejection. Therefore, claims 1, 2, 4-11, 13-19, and 21-24 are as amended in the last submitted Response to Office Action filed on March 28, 2006.

## SUMMARY OF CLAIMED SUBJECT MATTER

### ***Independent claim 1:***

The presently claimed invention provides a method for providing personal data to a recipient.

The present invention provides a personal data object that includes personal data and a template with embedded program code for generating a personal data output. See specification, page 12, line 21, to page 13, line 11; page 16, lines 16-25; page 17, line 22, to page 18, line 25; page 19, lines 1-6; and, page 20, lines 13-18 and **Figure 5**, items **544** and **564**. The present invention receives at least one credential for a recipient from the recipient. See specification, page 14, line 25, to page 15, line 9; page 17, lines 12-15; page 19, line 23, to page 20, line 6; and, page 20, line 23, to page 21, line 2. The present invention then activates the embedded program code in the template to dynamically generate a personal data output based on the at least one credential. See specification, page 15, line 11, to page 16, line 5; page 17, lines 15-20; page 18, lines 19-25; page 19, lines 15-21; page 20, lines 8-11; and, page 21, lines 1-8. The present invention delivers the personal data output to the recipient. See specification, page 14, lines 21-23; page 16, lines 7-14; page 20, lines 8-11; and, page 21, lines 8-9.

### ***Independent claims 10:***

The presently claimed invention provides an apparatus for providing personal data to a recipient.

The present invention provides a personal data object that includes personal data and a template with embedded program code for generating a personal data output. See specification, page 12, line 21, to page 13, line 11; page 16, lines 16-25; page 17, line 22, to page 18, line 25; page 19, lines 1-6; and, page 20, lines 13-18 and **Figure 5**, items **544** and **564**. The present invention receives at least one credential for a recipient from the recipient. See specification, page 14, line 25, to page 15, line 9; page 17, lines 12-15; page 19, line 23, to page 20, line 6; and, page 20, line 23, to page 21, line 2. The present invention then activates the embedded program code in the template to dynamically generate a personal data output based on the at least one credential. See specification, page 15, line 11, to page 16, line 5; page 17, lines 15-20; page 18, lines 19-25; page 19, lines 15-21; page 20, lines 8-11; and, page 21, lines 1-8. The present invention delivers the personal data output to the recipient. See specification, page 14, lines 21-23; page 16, lines

7-14; page 20, lines 8-11; and, page 21, lines 8-9. The means recited in independent claim 10, as well as dependent claims 11 and 13-18, may be data processing hardware within server **200**, client **300**, and combinations thereof, as described in the specification at page 8, line 13, to page 12, line 19, operating under control of software performing with the functionality described in the specification at page 20, line 20, to page 21, line 9, or equivalent.

***Independent claim 19:***

The presently claimed invention provides a computer program product for providing personal data to a recipient. The present invention provides a personal data object that includes personal data and a template with embedded program code for generating a personal data output. See specification, page 12, line 21, to page 13, line 11; page 16, lines 16-25; page 17, line 22, to page 18, line 25; page 19, lines 1-6; and, page 20, lines 13-18 and **Figure 5**, items **544** and **564**. The present invention receives at least one credential for a recipient from the recipient. See specification, page 14, line 25, to page 15, line 9; page 17, lines 12-15; page 19, line 23, to page 20, line 6; and, page 20, line 23, to page 21, line 2. The present invention then activates the embedded program code in the template to dynamically generate a personal data output based on the at least one credential. See specification, page 15, line 11, to page 16, line 5; page 17, lines 15-20; page 18, lines 19-25; page 19, lines 15-21; page 20, lines 8-11; and, page 21, lines 1-8. The present invention delivers the personal data output to the recipient. See specification, page 14, lines 21-23; page 16, lines 7-14; page 20, lines 8-11; and, page 21, lines 8-9. The computer instructions embodied on a computer readable medium are as described with reference to **Figure 6** in the description at page 17, line 22, to page 18, line 25; page 20, line 13, to page 21, line 9; page 21, line 24, to page 22, line 8; or equivalent.

***Dependent claims 4, 13, and 21:***

The presently claimed invention provides a method, apparatus, and computer program product wherein the personal data object comprises at least one of a signed Java class, a Java server page, and a text file with fields replaced by JavaScript code. See specification, page 17, lines 22-23; page 18, lines 4-17; **Figure 2**, **Figure 5A-5B**.

***Dependent claims 5, 14, and 23:***

The presently claimed invention provides a method, apparatus, and computer program product wherein the personal data object comprises at least of an electronic business card and an electronic calendar. See specification page 1, lines 9-11; page 4, lines 3-7; page 12, line 27-page 13, line 10; page 16, lines 20-23; page 17, lines 12-17; **Figure 2, Figure 5A-5B; and Figure 6**, reference numeral **610-614**.

***Dependent claims 6 and 15:***

The presently claimed invention provides a method and apparatus wherein the delivery means comprises means for attaching the personal data output to an e-mail message. See specification page 15, line 21-page 16, line 2; page 16, lines 22-23; **Figure 1, Figure 2, and Figure 4A-4B**.



## **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

### **A. GROUND OF REJECTION 1 (Claims 1, 2, 4-11, 13-19, and 21-24)**

The grounds of rejection on appeal are as follows:

- I.** Claims 1, 2, 4-11, 13-19, and 21-24 are rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by *Douvikas et al.* (U.S. Patent No. 6,633,311).

## **ARGUMENT**

### **I.A. 35 U.S.C. § 102, Alleged Anticipation of Claims 1, 2, 7-11, and 16-19**

The Final Office Action rejects claims 1, 2, 4-11, 13-19, and 21-24 under 35 U.S.C. § 102 as being anticipated by *Douvikas et al.* (U.S. Patent No. 6,633,311). This rejection is respectfully traversed.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). In this case, each and every feature of the presently claimed invention is not identically shown in the cited reference, arranged as they are in the claims.

Claim 1 is a representative claim of the group and recites:

1. A method for providing personal data to a recipient, comprising:  
providing a personal data object, wherein the personal data object includes a template with embedded program code for generating a personal data output;  
receiving, from the recipient, at least one credential for the recipient;  
activating the embedded program code in the template to dynamically generate a personal data output based on the at least one credential; and  
delivering the personal data output to the recipient.

*Douvikas* does not teach each and every feature of claim 1 as believed by the Examiner. For example, *Douvikas* does not teach the providing step of claim 1 in which a personal data object that includes a template with embedded code that may be activated to generate personal data as believed by the Examiner. In addition, *Douvikas* fails to teach the providing step, receiving step, and the activating step recited in claim 1.

#### **a. Providing a personal data object**

*Douvikas* does not disclose “providing a personal data object, wherein the personal data object includes personal data and a template with embedded program code for generating a personal data output,” as is recited in claim 1. In the Final Office Action, the Examiner alleges

*Douvikas* discloses this feature at column 8, lines 7-17, column 8, lines 52-53, and column 13, lines 15-22. The cited portion of *Douvikas* at column 8, lines 7-17 is included within the following section of *Douvikas* which states:

Either the signature hyperlink or the vCard (which can also contain a hyperlink) can then be used by conventional email programs. Electronic mail sent by the cardholder is automatically formatted to contain a signature hypertext link, according to the well-known hypertext markup language (HTML) standard or any of its common variants, directing recipients of the email to the electronic business card access and organization system. This hyperlink enables the recipient of the email to rapidly access the EBC system to locate the cardholder and/or obtain additional information. In effect, receipt of an email containing the hyperlink enables the recipient to easily become a user. In some embodiments, the signature hyperlink is part of the vCard feature known and implemented in common email programs such as Microsoft Outlook and Netscape Communicator.RTM. In an alternate embodiment, the signature hyperlink is implemented using the well-known email signature block feature.

*Douvikas*, Column 8, lines 7-24.

This portion of *Douvikas* discloses a link to an electronic service that provides access to contact information or a vCard that can contain a hyperlink. Although *Douvikas* discloses providing a link to connect a recipient to the service, this portion of *Douvikas* does not disclose providing **a personal data object that includes a template with embedded program code** for generating a personal data output. In fact, *Douvikas* provides the link so a user can follow the link to access the EBC system. The link is not a personal data object that includes a template with embedded program code. As shown above, this section of *Douvikas* does not even mention a personal data object or a template with embedded program code of any kind

The cited portion of *Douvikas* at column 8, lines 52-53 is included in the section of *Douvikas* that states:

Let's walk through the process of becoming a Member.

1. From the Member login screen, click the Become a Member button.
2. Fill in your Card Profile: the profile contains all of your contact information and can be updated as needed. See the help menu topic "Set Up Your Card" for more information.

After your membership is confirmed, you can log in to ecardfile.com using your Card ID and password. After log in, you are brought to your personal ecardfile area. Here is where you can store other Member cards and perform functions such as adding, deleting, changing the privacy level access to your Card that you have given to other Members, and exporting a card to your address book.

*Douvikas*, Column 8, lines 44-62.

Here, *Douvikas* discloses the process of becoming a member of the electronic service that provides access to contact information. A user fills out a profile containing the users contact information. After becoming a member, the user can add, delete or change privacy levels for the user's own contact information and store contact information (member cards) for other members of the service. Thus, *Douvikas* teaches becoming a member of a service in order to gain access to contact information available from the service, as well as to make the user's own contact information available to other users of the service. However, there is no teaching in *Douvikas* in either of these cited sections that a personal data object includes a **template with embedded code** for generating personal data output, particularly where the embedded code is activated to dynamically generate a personal data output **based on at least one credential**, as in the presently claimed invention in claim 1. At best, *Douvikas* teaches that an email can contain a hyperlink. However, such teachings do not disclose a **personal data object** that includes a **template with embedded program code** for **generating** a personal data output. In fact, *Douvikas* specifically teaches that the vCard is a known feature, which prior to the present invention as recited in claim 1 contained no embedded code. See *Douvikas*, col. 8, lines 18-21. Unlike the present invention, *Douvikas* proposes providing a separate and distinct business card front end to provide additional information.

The Examiner also cites to *Douvikas* in the following section, which states:

All pages displayed by the Boomerang application, including the help and information screens, are dynamically generated. The base HTML code and image links for these pages are stored as template files which are preloaded on servlet initialization. These files are parsed and custom tags replaced with data extracted from the database (or calculated) before sending the page to the requester and display to the user.

*Douvikas*, Column 13, lines 14-22.

This portion of the reference refers to utilization of a template to display help and information screens. Template files are preloaded at servlet initialization, parsed, and custom tags are replaced with data from a database. The tags are in template files for the help and information screens. This section provides no teaching or disclosure for tags in a template for a card as recited in claim 1.

As shown above, this portion of *Douvikas* refers to help and information screens and not a personal data object. The Final Office Action proffers no analysis as to why a simple hyperlink in a vCard and customary help and information screens in HTML are somehow equivalent to a personal data object that includes a **template with embedded code** for generating personal data output, particularly where the embedded code is activated to dynamically generate a personal data output **based on at least one credential**, as recited in claim 1, for example. Moreover, even if this section of the reference could inherently disclose utilization of a template by a server to display contact information, *Douvikas* still does not teach a template with **embedded program code included in a personal data object** for generating personal data output **based on the at least one credential**. In fact, *Douvikas* teaches using specific software, separate from the data itself, to manage access and data privacy, as opposed to a personal data object that includes a template with **embedded** program code, as in the presently claimed invention in claim 1.

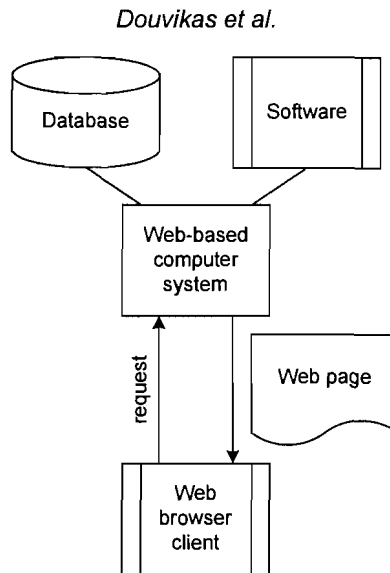
Rather, *Douvikas* teaches a front end software framework that manages access to electronic business card data. The front end is separate and distinct from the business data itself. *Douvikas* states:

In one embodiment of the present invention, an electronic business card (EBC) access and organization system operates from a Web-based computer system that includes a database and software for managing access, data privacy, and dynamic updates. The cardholder database, i.e., the database containing records of each registered cardholder (or "Member" of the EBC system), is accessible from any Web browser connected to the Internet. Examples of such common Web browsers are Microsoft's Internet Explorer and Netscape.RTM. Navigator.RTM.. In an alternate embodiment, the EBC system may be installed behind a

conventional network "firewall" security device and thus made accessible only to browsers connected to and authorized to use the intranet defined by and behind the firewall.

*Douvikas*, col. 2, lines 17-30.

Below is a block diagram of the EBC system as described by *Douvikas*:



As shown above, a web-based computer system includes a database and software. The database and the software are separate, as described in *Douvikas*. Also, the software, not the database, is responsible for managing access and data privacy. Contrary to the present invention, in no way is the software of *Douvikas* **embedded** in a personal data object as recited in claim 1. To the contrary, *Douvikas* stores personal data in a database format and relies on specific server software to query the database and return appropriate personal data based on the credentials of the requesting user.

In the Examiners Response to Arguments, the Examiner alleges that a vCard was a data object format (i.e. template) for storing personal data in the form of vCard objects (i.e. embedded program code) that could be transferred in a stream to be interpreted by a vCard Reader (i.e. generate output). However, as shown above, *Douvikas* uses the term “vcard” or “electronic card” to refer to a webpage having a user’s business card information rather than a vCard or Versit card data object. The webpage card of *Douvikas* is a page for accessing information instead of using a mechanism to generate an appropriate vCard dynamically and presenting the vCard to a recipient. Thus, the webpage “card” of *Douvikas* is not a data object including a template with embedded

program code.

Moreover, the Examiner fails to provide any analysis as to how the web page “card” disclosed by *Douvikas* could disclose a data object format for generating personal data output. The webpage of *Douvikas* fails to disclose a personal data object including a template with embedded program code for generating personal data output, as recited in claim 1. Thus, *Douvikas* fails to teach “providing a personal data object, wherein the personal data object includes personal data and a template with embedded program code for generating a personal data output,” as is claimed in claim 1.

**b. Receiving at least one credential**

*Douvikas* does not teach “receiving, from a recipient, at least one credential for the recipient,” as is claimed in claim 1. The Examiner believes this feature is disclosed by *Douvikas* at column 9, lines 21-56, which states:

As you are entering information into your Card Profile, please keep in mind that ecardfile.com gives you three levels of privacy for each field:

Level 1-Public. Information at this level will be displayed to anyone who looks up your card. This could be anyone viewing cards from the World Wide Web, whether you know them or not.

Level 2-Semi-Private. Information at this level will displayed only to other ecardfile Members who are in your personal ecardfile and who have been designated to receive your semi-private information.

Level 3-Private. Information at this level will be displayed only to other ecardfile Members who are in your personal ecardfile and who have been designated to receive your private information.

All field information is set to private when you first fill out a Card Profile. Be sure to select other privacy levels for fields that are either semi-private or public.

The Email Auth field is used only by ecardfile.com for verification purposes. It is never displayed on your Card. You must enter a current email address in the Email Auth field. Once you complete the Card Profile and click "OK," ecardfile sends an email to this address and waits for your reply before authorizing your membership and enabling you to log in. This authorization process has been designed to protect your privacy and identity.

**Add Others' Cards to Your Ecardfile**

From your personal ecardfile screen, use the Look Up fields to view the card of the Member you want to add. When the card is displayed, press the Add icon.

If you would like to give this Member access to your semi-private or private ecardfile information, be sure to change the privacy level displayed next to the Member's name. See the help topic "Set/change privacy levels" for more information.

*Douvikas*, Column 9, lines 22-56.

Here, *Douvikas* discloses a user setting a privacy level for each file in a user's card profile. Three privacy levels are disclosed. At level 1, all information is displayed to everyone. At level 2 and level 3, the information will only be displayed to another member designated by the user to receive the information. The privacy levels for controlling display of information are **designated by the user** to select which data to display rather than a **credential that is received from the recipient**. Moreover, *Douvikas* discloses that the user changes the privacy settings for the recipient, rather than receiving at least one credential from the recipient. Thus, *Douvikas* fails to disclose "receiving, from a recipient, at least one credential for the recipient," as is recited in claim 1.

**c. Activating the embedded code in the template**

*Douvikas* fails to disclose "activating the embedded program code in the template to dynamically generate a personal data output based on the at least one credential," as is claimed in independent claim 1. The Examiner believes this feature is disclosed by *Douvikas* at column 10, lines 58-64 and column 13, lines 15-17. The cited portion of *Douvikas* at column 10, lines 58-64 is included in the section of *Douvikas* that states as follows:

A signature file has an HTML link to your Card; when downloaded, the signature file will embed the link into all of your email messages. When someone reads your message and wants to view your contact information, he just clicks on the HTML link and is immediately connected to your Card and your up-to-the-minute contact information.

A vCard is a file that holds your contact information in a standard format. Some email packages such as Microsoft Outlook and Netscape Communicator recognize this format and can treat it in a special way. Because it is not a live link, it may display old or inaccurate information, particularly if someone is reading an old email message from you.

If your email package, or more importantly the message recipient's email package, does not support HTML tags or vCards, you may cut and paste the HTML link displayed and attach it to your messages. The



recipient just clicks or cut and pastes the HTML link into a browser and is immediately connected to your Card and your up-to-the-minute contact information.

*Douvikas*, Column 10, lines 46-64.

This portion of *Douvikas* states that when a signature file is downloaded it creates a link to a user's card that is embedded in the user's email messages. A recipient of the email message can click on the link in order to be connected to the service and view the user's contact information. *Douvikas* merely teaches embedding a link in an email. Such statements do not explicitly or inherently teach a template with embedded program code to dynamically generate a personal data output. Moreover, even if the embedded link in an email for connecting to the service could inherently teach an email with embedded code for displaying contact personal data, such teachings would still fail to disclose **a personal data object** including a template with **embedded program code to dynamically generate** a personal data output, as opposed to merely displaying contact information. In fact, *Douvikas* discloses **displaying** contact information **based on a user designated privacy level** rather than generating personal data output **based on at least one credential** received **from the recipient**. Thus, as shown above, this section of *Douvikas* merely discloses the automated insertion of a link to the electronic service's web site rather than a personal data object with embedded code for generating personal data output. Furthermore, simply disclosing that a link to a service web site does not inherently disclose at least one credential for the recipient or generating personal data output based on the at least one credential.

The other cited portion of *Douvikas* at column 13, lines 15-17 is quoted above. As discussed above, this portion of the reference merely discloses template files for displaying help and information screens. The template files are parsed and custom tags are replaced with data from a database. This portion of *Douvikas* does not disclose a template with **embedded program code** for generating a personal data output **based on at least one credential** received from a recipient. Thus, *Douvikas* fails to teach activating the embedded program code in the template to dynamically generate a personal data output based on the at least one credential," as is recited in claim 1.

*Douvikas* fails to teach each and every feature recited in amended independent claim 1. Moreover, other rejected independent claims 10 and 19 recite subject matter addressed above with regard to claim 1. Therefore, claims 10 and 19 are distinguishable over *Douvikas* for the same reasons set forth above with regard to claim 1.

**I.B. 35 U.S.C. § 102, Alleged Anticipation of Claims 4, 13, and 21**

As shown above, the features of independent claims 1, 10, and 19 are not taught by *Douvikas*. In addition, the additional features recited in the claims of this group are not taught by *Douvikas*. Claim 4, which is a representative claim from this group, recites as follows:

The method of claim 1, wherein the personal data object comprises at least one of a signed Java class, a Java server page, and a text file with fields replaced by JavaScript code.

*Douvikas* does not teach or suggest that the personal data object comprises at least one of a signed Java class, a Java server page, and a text file with fields replaced by JavaScript code. The Final Office Action alleges that *Douvikas* teaches implementing a personal data object including personal data and a template with embedded code for generating a personal data output that is implemented in Java using a Java server page at col. 12, lines 5-6, 15-27; and col. 13, lines 1-6. Col. 12, lines 5-6, teaches that the database may be implemented using JDBC. Col. 12, lines 15-27, teaches that the Web server may be implemented using Java objects. Col. 13, lines 1-6, states:

JDBC Objects/Classes 1340

These consist of generic JDBC classes that execute queries and return results in a Java hash table indexed by column name. To make more efficient use of database resources, all structured query language (SQL) statements are prepared at servlet initialization.

*Douvikas*, column 13, lines 1-6.

Thus, *Douvikas* teaches that the JDBC classes are used to query and return results from the database. Nowhere do any of these cited portions teach that a personal data object including personal data and a template with embedded code for generating a personal data output is implemented in Java using a Java server page, as alleged by the Final Office Action. While *Douvikas* teaches that the electronic business card service software uses Java, the applied references does not teach a **personal data object** that includes personal data and a template with

embedded code, wherein **the personal data object** comprises a signed Java class, a Java server page, and a text file with fields replaced by JavaScript code, as recited in claims 4, 13, and 21. Therefore, Appellants respectfully request that the rejection of claims 4, 13, and 21 under 35 U.S.C. § 102 not be sustained.

**I.C. 35 U.S.C. § 102, Alleged Anticipation of Claims 5, 14, and 23**

With respect to claims 5, 14, and 23, the additional features recited in the claims of this group are not taught by *Douvikas*. Claim 5, which is a representative claim from this group, recites as follows:

The method of claim 1, wherein the personal data output comprises one of an electronic business card and an electronic calendar.

*Douvikas* does not teach or suggest that the personal data output comprises one of an electronic business card and an electronic calendar. The Final Office Action alleges that *Douvikas* teaches this feature at col. 2, lines 18-22, which states:

In one embodiment of the present invention, an electronic business card (EBC) access and organization system operates from a Web-based computer system that includes a database and software for managing access, data privacy, and dynamic updates.

*Douvikas*, column 2, lines 18-22.

Here, *Douvikas* teaches a web based electronic business card access. The cited portion of *Douvikas* does not teach or even mention personal data output comprising an electronic calendar. In fact, this section of the reference does not even discuss the output delivered to a user, let alone an electronic business card and electronic calendar.

The Examiner also cites to *Douvikas* at column 3, lines 56-61, which states as follows:

The electronic business card (EBC) access and organization system consists of hardware complex providing the physical interface to the Internet, firewall security, web server functionality, data storage, and system redundancy protection.

*Douvikas*, column 3, lines 56-61.

This portion of *Douvikas* merely describes the hardware to implement the web based electronic business card access and organization system. *Douvikas* does not teach or even mention that personal data output delivered to a recipient is an electronic business card or

electronic calendar. In fact, *Douvikas* does not teach or even mention providing an electronic calendar in this or any other section of the reference. Moreover, the Examiner fails to provide any analysis as to how *Douvikas* discloses an electronic calendar. Thus, *Douvikas* cannot disclose personal data output comprises one of an electronic business card and an electronic calendar, as recited in claims 5, 14, and 23.

**I.D. 35 U.S.C. § 102, Alleged Anticipation of Claims 6 and 15**

With respect to claims 6 and 15, *Douvikas* does not teach or suggest that delivering the dynamically generated personal data output comprises attaching the dynamically generated personal data output to an e-mail message. The Final Office Action alleges that *Douvikas* teaches this feature at col. 10, lines 46-57, which states:

A signature file has an HTML link to your Card; when downloaded, the signature file will embed the link into all of your email messages. When someone reads your message and wants to view your contact information, he just clicks on the HTML link and is immediately connected to your Card and your up-to-the-minute contact information.

A vCard is a file that holds your contact information in a standard format. Some email packages such as Microsoft Outlook and Netscape Communicator recognize this format and can treat it in a special way. Because it is not a live link, it may display old or inaccurate information, particularly if someone is reading an old email message from you.

*Douvikas*, column 10, lines 46-57.

Here, *Douvikas* teaches an HTML link or a vCard embedded in an e-mail message. However, in no way does *Douvikas* teach or even suggest attaching **dynamically generated** personal data output to an e-mail message. In fact, the cited portion of *Douvikas* actually teaches away from the invention recited in claims 6 and 15, because *Douvikas* teaches a vCard file that holds contact information in a “standard format,” which may display “old or inaccurate information.” Clearly, *Douvikas* does not anticipate claims 6 and 15. Therefore, Appellants respectfully request that the rejection of claims 6 and 15 under 35 U.S.C. § 102 not be sustained.

In view of the above, Appellants respectfully submit that claims 1, 2, 4-11, 13-19, and 21-24 are allowable over the cited prior art and that the application is in condition for allowance. Accordingly, Appellants respectfully request the Board of Patent Appeals and Interferences to not sustain the rejections set forth in the Final Office Action.

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## **CLAIMS APPENDIX**

The text of the claims involved in the appeal are:

1. A method for providing personal data to a recipient, comprising:  
providing a personal data object, wherein the personal data object includes personal data and a template with embedded program code for generating a personal data output;  
receiving, from the recipient, at least one credential for the recipient;  
activating the embedded program code in the template to dynamically generate a personal data output based on the at least one credential; and  
delivering the personal data output to the recipient.
2. The method of claim 1, wherein the at least one credential comprises an e-mail address.
4. The method of claim 1, wherein the personal data object comprises at least one of a signed Java class, a Java server page, and a text file with fields replaced by JavaScript code.
5. The method of claim 1, wherein the personal data output comprises one of an electronic business card and an electronic calendar.
6. The method of claim 1, wherein the step of delivering the personal data output to the recipient comprises attaching the personal data output to an e-mail message.
7. The method of claim 1, wherein the method is performed by a client device.

8. The method of claim 7, wherein the client device is one of a computer, a personal digital assistant, a telephone device, a pager, and a smartcard.
9. The method of claim 1, wherein the method is performed by a server.
10. An apparatus for providing personal data to a recipient, comprising:
  - means for providing a personal data object, wherein the personal data object includes a template with embedded program code for generating a personal data output;
  - receipt means for receiving, from the recipient, at least one credential for the recipient;
  - generation means for activating the embedded program code in the template to dynamically generate a personal data output based on the at least one credential; and
  - delivery means for delivering the personal data output to the recipient.
11. The apparatus of claim 10, wherein the at least one credential comprises an e-mail address.
13. The apparatus of claim 10, wherein the personal data object comprises at least one of a signed Java class, a Java server page, and a text file with fields replaced by JavaScript code.
14. The apparatus of claim 10, wherein the personal data output comprises one of an electronic business card and an electronic calendar.

15. The apparatus of claim 10, wherein the delivery means comprises means for attaching the personal data output to an e-mail message.

16. The apparatus of claim 10, wherein the apparatus comprises a client device.

17. The apparatus of claim 16, wherein the client device is one of a computer, a personal digital assistant, a telephone device, a pager, and a smartcard.

18. The apparatus of claim 10, wherein the apparatus comprises a server.

19. A computer program product, in a computer readable medium, for providing personal data to a recipient, comprising:

instructions for providing a personal data object, wherein the personal data object includes a template with embedded program code for generating personal data;

instructions for receiving, from the recipient, at least one credential for the recipient;

instructions for activating the embedded program code in the personal data object to dynamically generate personal data based on the at least one credential; and

instructions for delivering the personal data to the recipient.

21. The computer program product of claim 19, wherein the personal data object comprises at least one of a signed Java class, a Java server page, and a text file with fields replaced by JavaScript code.



22. The computer program product of claim 19, wherein the at least one credential comprises an e-mail address.

23. The computer program product of claim 19, wherein the personal data output comprises one of an electronic business card and an electronic calendar.

24. The method of claim 1, wherein the at least one credential comprises a device ID.

## **EVIDENCE APPENDIX**

There is no evidence to be presented.

## **RELATED PROCEEDINGS APPENDIX**

There are no related proceedings.